IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CRIMINAL REVISION PETITION NO. 948/2004

PADAM PRAKASH KHANDAKA Vs. STATE OF RAJASTHAN & ORS.

DATE: 15.01.2007.

HON'BLE MR. K.S. RATHORE, J.

Mr. R.S. Agarwal for the petitioner.
Mr. Ashwani Kr. Sharma, P.P. for the State.

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This revision petition under Section 397 r/w Section 401 Cr.P.C. is directed against the judgment dated 07.08.2004 passed by the Additional Sessions Judge No.2, Jaipur District, Jaipur in Criminal Revision Petition No. 42/2004 (69/2004), whereby the Court below has allowed the revision petition and set-aside the order dated 25.03.2004 passed by the Sub Divisional Magistrate I, Jaipur, who issued notices under Section 145(1) Cr.P.C. against non-petitioner Nos. 2 to 8.

The Revisional Court while considering the revision petition under Section 397 Cr.P.C. against the order dated 25.03.2004 passed by the Sub Divisional Magistrate, has held that with regard to the disputed property suits are already pending between the parties

before the Revenue and Civil Court and the Revenue Court has already passed the order to maintain status quo, therefore, parallel proceedings under Section 145 Cr.P.C. are not required. Therefore, the order dated 25.03.2004 passed by the Sub Divisional Magistrate, Jaipur has been quashed and set-aside.

I find no illegality or error apparent on the face of the record in the order impugned dated 07.08.2004 and the same requires no interference whatsoever by this Court.

Consequently, the revision petition fails and the same is hereby dismissed.

(K.S. RATHORE),J.

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